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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,397	03/09/2004	Robert Falotico	CRD-5068	1881
27777	7590	06/22/2010	EXAMINER	
PHILIP S. JOHNSON JOHNSON & JOHNSON ONE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003			BERRIOS, JENNIFER A	
			ART UNIT	PAPER NUMBER
			1619	
			NOTIFICATION DATE	DELIVERY MODE
			06/22/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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Art Unit: 1619

## 11. Continuation

***Response to Arguments***

Applicant argues that the references taken as a whole fail to disclose or even suggest a medical device with two specific drugs in a specific dosage in a two distinct polymer structure with a specific polymer ratio. None of the references taken as a whole disclose the use of immiscible polymers on the same device as claimed. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

This is not persuasive, although applicant has amended the claims to further recite the limitation "wherein the first and second polymeric materials are immiscible with respect to one another," the structural limitations of the claims remain the same. The combination of prior art references, as discussed in the office action mailed 4/12/2010, specifically page 4, discloses an implantable structuring having a basecoat matrix comprising polyvinylidene fluoride and hexafluoropropylene (PVDF/HFP) in a 60/40 weight ration and a top coat comprising polybutylmethacrylate (BMA). Although the prior art does not specifically disclose that these polymers are immiscible, this property is inherent in the polymers recited by instant claim 1. Furthermore, the instant specification discloses that PVDF/HFP and BMF are immiscible or incompatible polymers (Paragraph 0411). The drug dosages of topotecan are specifically addressed in page 6 of the office action mailed 4/12/2010.

/Jennifer A Berrios/  
Examiner, Art Unit 1619

/Tracy Vivemore/  
Primary Examiner, Art Unit 1635